



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,441	11/01/2000	Nobuyuki Kihara	450106-02418	8620

20999 7590 10/28/2005  
FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

SHIN, KYUNG H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/674,441

Applicant(s)

KIHARA ET AL.

Examiner

Kyung H. Shin

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 and 16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-4, 16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. This action is responding to application filed 11/1/2000 with foreign priority 3/3/1999 in Japan.
2. Claims **1-4, 16** are pending. Claims **1, 16**, have been amended. Claims **5 - 15** have been canceled. Independent claims are **1, 16**.

### *Response to Arguments*

3. Applicant's arguments filed 8/15/2005 have been fully considered but they are not persuasive.

### *Response to Remarks*

- 3.1 Applicant argues that the referenced prior art does not disclose: “ ... *move/copy history of a file from a large capacity memory is stored and later referenced* ... “  
(see Remarks Page 6, Lines 16-17)

The Storck ( 6,011,858 ) prior art discloses the storage and manipulation of file move and copy history information within a file structure. By definition, a transaction is an activity or request. Typical **transactions** are considered to be an order, purchase, **change**, **addition** and **deletion**. These types of transactions update one or more master files and serve as both an audit trail and **history** for future analyses. (1. <http://www.answers.com/transaction&r-67>)

The Storck ( 6,011,858 ) prior art discloses the manipulation of information specific to a transaction. The Storck ( 6,011,858 ) prior art discloses that the

information can be for other type of information applications then strictly credit card transactions. (see Storck col. 2, lines 50-54; col. 5, line 66 - col. 6, line 1: information processing application, move/copy file structure information) This is analogous to the move/copy information indicated in the applicant's invention, which discloses a move or copy of a file and the storage of information to identify the action and provide a history of the completed operation or transaction. (see Storck col. 4, lines 28-36: processing user information) The Storck ( 6,011,858 ) prior art discloses an application file structure for storing personal information for user transactions. The transaction can be a copy (i.e. **addition**) or a move (i.e. **delete, addition**) operation for a file, which is a user initiated transaction. The move, copy history information is the transaction information processed and stored. Therefore, the Storck ( 6,011,858 ) prior art discloses the same claim limitation as the applicant's invention. Therefore, the rejection of claims **1-4, 16** is proper and maintained herein.

### ***Claim Rejection - 35 USC § 103***

The text of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. **Claims 1 - 4, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stock et al.** (US Patent No. 6,011,858) in view of **Tanaka et al.** (US Patent No. 5,682,549).

**Regarding Claim 1** (Currently Amended), Stock discloses a data processing apparatus, comprising:

- b) memory means for storing move/copy history indicative of the movement of a particular file when the particular file is moved/copied from said large capacity memory means to a non-volatile memory; (see Stock col. 3, line 67 - col. 4, line 4; col. 4, lines 28-36; file directory and contents management functions for memory card and database system, card information written (i.e. copy), revised (i.e. move), transaction (i.e. history) information maintained)
- c) reference means for referencing the history information stored in said memory means when the particular file is moved/copied from said large capacity memory means to the non-volatile memory; (see Stock col. 3, line 67 - col. 4, line 4; col. 4, lines 28-36; file directory and contents management functions for memory card and database system, card information written (i.e. copy), revised (i.e. move), transaction (i.e. history) information maintained)
- d) control means for prohibiting the particular file from being moved/copied from said large capacity memory means to the non-volatile memory when said reference means has detected that the history information is stored in said memory means. (see Stock col. 3, line 67 - col. 4, line 4; col. 4, lines 28-36; file directory and contents management functions for memory card and database system, card information written (i.e. copy), revised (i.e. move), transaction (i.e. history) information maintained)

Stock discloses an application file structure with information equivalent to applicant's move (i.e. delete, write functions), copy (i.e. read, write functions) and transaction tracking information (i.e. history) function. (see Stock col. 3, lines 1-5; col. 4, lines 28-36; col. 3, line 67 - col. 4, line 4: file directory, contents management information) Stock's description of information displayed in the reference's application file structure information is equivalent to applicant's description of the information contained in the move, copy, history retrieved from memory or smart card (i.e. reference's IC card). Stock discloses that the information listing displays a current and updated listing of the information stored in the memory card. Stock discloses describing a move, copy, history which is generated by the usage of standard information programming and processing concepts. Stock does not specifically disclose a plurality of files in a large capacity data file storage means. However, Tanaka discloses:

- a) a large capacity memory means for storing a plurality of files (see Tanaka col. 19, lines 56-63: multiple files stored for manipulation)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stock to utilize the storage of multiple files (i.e. database) as taught by Tanaka. One of ordinary skill in the art would be motivated to employ Tanaka in order to optimize the storage and management of digital (i.e. media type) data within a network environment. (see Tanaka col. 2, lines 13-15: "*... easily store image data in a memory device connected to the network, manage the image data, or take out the image data ...*")

Art Unit: 2143

**Regarding Claim 2**, Tanaka discloses the data processing apparatus as set forth in claim 1, wherein files stored in said large capacity memory means have been compressed corresponding to a predetermined compressing method. (see Tanaka col. 13, lines 23-25: efficient data storage achieved by utilization of compression techniques)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stock to utilize compression techniques in the optimization of data storage as taught by Tanaka. One of ordinary skill in the art would be motivated to employ Tanaka in order to optimize the storage and management of digital (i.e. media type) data within a network environment. (see Tanaka col. 2, lines 13-15)

**Regarding Claim 3**, Tanaka discloses the data processing apparatus as set forth in claim 1, wherein files stored in said large capacity memory means have been encrypted corresponding to a predetermined encrypting method. (see Tanaka col. 13, lines 18-20; col. 11, lines 15-17: secure data storage achieved by utilization of encryption techniques)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stock to utilize encryption techniques in the secure storage of data as taught by Tanaka. One of ordinary skill in the art would be motivated to employ Tanaka in order to achieve secure storage and optimize the management of digital (i.e. media type) data within a network environment. (see Tanaka col. 2, lines 13-

Art Unit: 2143

15)

**Regarding Claim 4**, Stock discloses the data processing apparatus as set forth in claim 1, wherein said memory means is composed of a flash memory. (see Stock col. 3, lines 64-67: smart card, nonvolatile (i.e. flash) memory)

**Regarding Claim 16** (Currently Amended), Stock discloses a data processing method, comprising the steps of:

- a) storing move/copy history indicative of the movement of a particular file when the particular file is moved/copied from a large capacity memory that stores a plurality of files to a non-volatile memory; (see Stock col. 3, line 67 - col. 4, line 4; col. 4, lines 28-36; file directory and contents management functions for memory card and database system, card information written (i.e. copy), revised (i.e. move), transaction (i.e. history) information)
- b) referencing the history information stored in the memory when the particular file is moved/copied from the large capacity memory to the non-volatile memory; (see Stock col. 3, line 67 - col. 44, line 4; col. 4, lines 28-36; file directory and contents management functions for memory card and database system, card information written (i.e. copy), revised (i.e. move), transaction (i.e. history) information)
- c) prohibiting the particular file from being moved/copied from the large capacity memory to the non-volatile memory when the history information is stored in the



Art Unit: 2143

memory. (see Stock col. 3, line 67 - col. 4, line 4; col. 4, lines 28-36; file directory and contents management functions for memory card and database system, card information written (i.e. copy), revised (i.e. move), transaction (i.e. history) information)

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9 am - 7 pm.

Art Unit: 2143

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

K H S  
Kyung H Shin  
Patent Examiner  
Art Unit 2143

KHS

October 21, 2005



EXAMINER